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DCI Statement before House Intelligence Committee on 4 February 1988

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SENT TO:**DELIVER TO:****EXTENSION****ROOM**Mr. James
CollinsRoom 300, Old Executive Office Building
NATIONAL SECURITY COUNCIL

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REMARKS: NEED COMMENTS NO LATER THAN 2:00 P.M. Friday, 29 January 1988.

Please note that the Director has not yet reviewed this statement.

STATEMENT OF THE
DIRECTOR OF CENTRAL INTELLIGENCE
BEFORE THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE
HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1988

Mr. Chairman and Members of the Permanent Select Committee on Intelligence, I am pleased to be here today to share some of my thoughts on H.R. 3822, the Intelligence Oversight Act of 1987. The views expressed in this statement also reflect the position of the Administration.

The bill being considered by the Committee today is similar in many respects to a bill reported out of the Senate Intelligence Committee last month. During its consideration of that bill, the Senate Intelligence Committee invited me to provide my views. I confined my testimony at that time to whether legislation was necessary and the practical impact of the Senate bill on the Intelligence Community. I intend to address both points in my testimony today on the House bill.

As you are probably now aware, in my remarks before the Senate Intelligence Committee I questioned the need for this type of legislation. Although the Senate Intelligence Committee subsequently decided to recommend approval of the legislation, I still continue to have strong doubts whether this legislation is really the proper response to the concerns members of Congress have regarding the adequacy of Congress' ability to discharge its oversight responsibilities with regard to special activities. As you know, the President recognized last spring that there was room for improvement in the process by which the two branches were meeting their responsibilities, and he took concrete, substantial steps to establish improved procedures to ensure that Congress can play its appropriate oversight role. These new procedures in the form of a new National Security Decision Directive on Special Activities (NSDD 286), which was recently declassified, clarify the rules by which special activities are reviewed, approved, and reported to Congress. Indeed, many of the proposals contained in H.R. 3822 are already contained in NSDD 286.

While a Presidential Directive is not the same as legislation, I am not persuaded that new legislation at this time is the best way to address the concerns that members have with the congressional role regarding special activities. In my view, a legislative remedy should be employed only after there has been demonstrated a basic deficiency in the oversight process. The Iran/Contra matter, while extremely serious, has not in my view demonstrated that the system of congressional oversight of the Intelligence Community is seriously flawed. Many of the problems exposed during that unfortunate period were the result of officials failing to follow existing procedures and rules. As the Committee is aware, I have taken